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April 19, 2007

VIA HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
c/o Natek, Inc., Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

FILED/ACCEPTED
APR 19 2007
Federal Communications Commission
Office of the Secretary


Re: Petition for Reconsideration, or in the Alternative, Clarification of SunCom Wireless, Inc.

Dear Ms. Dortch:

On behalf SunCom Wireless, Inc. ("SunCom"), please find enclosed four (4) copies of the above-referenced Petition and a "Motion to Accept as Timely Filed." SunCom experienced ECFS filing errors on the date this filing was due and was unable to complete a timely electronic submission.

If you have any questions please do not hesitate to contact the undersigned.

Respectfully submitted,


-----David L. Martin
Amy S. Mushahwar

Enclosures

No. of Copies rec'd 014
List ABCDE

FILED/ACCEPTED

APR 19 2007

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In the Matter of

Universal Service Contribution Methodology

WC Docket No. 06-122

Federal-State Joint Board on
Universal Service

CC Docket No. 96-45

MOTION TO ACCEPT AS TIMELY FILED

SunCom Wireless, Inc. ("SunCom") hereby files this Motion to Accept as Timely Filed with regard to its attached Petition for Reconsideration or, in the Alternative, Clarification (the "Petition"). The Petition sought reconsideration of a Public Notice released by the Wireline Competition Bureau on March 19, 2007. ^{1/} Accordingly, the Petition was due to be filed electronically on or before April 18, 2007 at 11:59 PM. SunCom repeatedly attempted this filing via ECFS, using multiple computers, over the course of several hours on the evening of April 18, but a database malfunction occurred on each attempt. ^{2/} Because of the database malfunction and SunCom's evidence of diligence as documented in the attachments hereto, SunCom respectfully requests that the Commission accept its Petition for Reconsideration or, in the Alternative, Clarification filing as timely filed.

^{1/} See "Wireline Competition Bureau Announces OMB Approval of the 2007 FCC Form 499-A," DA 07-1355, (rel. March 19, 2007).

^{2/} Upon uploading and submitting its Petition, SunCom received an error message stating that the relevant proceeding was "not open[]" for submission to ECFS." See Attachment A. SunCom attempted to submit its filing to all relevant dockets in the above-captioned proceeding (WC Docket No. 06-122, CC Docket No. 96-45, CC Docket No. 98-171, CC Docket No. 90-571, CC Docket No. 92-237, NSD File No. L-00-72, CC Docket No. 99-200, CC Docket No. 95-116, CC Docket No. 98-170 and WC Docket No. 04-36), but received the same error message for each docket. As an alternative, SunCom submitted its Petition via e-mail to Commission staff members to preserve its timely filing. See Attachment B.

Respectfully submitted,

SUNCOM WIRELESS, INC.

David L. Sieradzki
David L. Martin
Amy S. Mushahwar
Hogan & Hartson L.L.P.
555 13th Street, NW
Washington, DC 20004
(202) **637-5600**

Its Attorneys

April 19, 2007

Attachment A

ECFS Error Message



Application Error(s)

Proceeding 06-122 is not open for submission to ECFS.

Press the back button on four browser to return to the form and make the necessary corrections.

[Return to the ECFS Home Page](#)

[FCC Home Page](#) [Search](#) [Commissioners](#) [Bureaus Offices](#) [Finding Info](#)

updated 12/11/03

Attachment B

Multiple Filing E-Mails to Commission Staff

(without attachments)

Mushahwar, Amy S.

From: Mushahwar, Amy S.
Sent: Wednesday, April 18, 2007 10:46 PM
To: greg guice@fcc.gov
cc: ecfshelp@fcc.gov; Sieradzki, David L.; Martin, David L.
Subject: SunCom Wireless, Inc. Petition for Reconsideration
Attachments: SunCom Petition.pdf; Application Error Message.pdf

Mr. Guice

On behalf of SunCom Wireless, Inc. please find attached its Petition for Reconsideration, in the Alternative, Clarification of SunCom Wireless, Inc. ("SunCom"). The Petition regards the Commission's Public Notice DA 07-1355 released on March 19, 2007 and the following associated dockets: WC Docket No. 06-122, CC Docket No. 9645, CC Docket No. 98-171, CC Docket No. 90-571, CC Docket No. 92-237, NSD File No. L-00-72, CC Docket No. 99-200, CC Docket No. 95-116, CC Docket No. 98-170 and WC Docket No. 04-36.

SunCom attempted to file this evening via the FCC's ECFS e-filing database, and received the attached error message repeatedly. Accordingly, SunCom will resubmit its filing to the ECFS database tomorrow along with a request that the Commission accept the Petition as timely filed.

If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

Amy Mushahwar

AMY MUSHAHWAR, ATTORNEY AT LAW
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asmushahwar@hhlaw.com | <http://www.hhlaw.com>

Mushahwar, Amy S.

From: Mushahwar, Amy S
Sent: Wednesday, April 18, 2007 11:00 PM
To: ccbsecretary@fcc.gov; wcbsecretary@fcc.gov
cc: Martin, David L.; Sieradzki, David L.
Subject: FW: SunCom Wireless, Inc. Petition for Reconsideration
Attachments: SunCom Petition pdf; Application Error Message.pdf

Dear Sir or Madam:

On behalf of SunCom Wireless Inc. ("SunCom"), please find attached for submission its Petition for Reconsideration or, in the Alternative, Clarification. The Petition regards the Commission's Public Notice DA 07-1355 released on March 19, 2007 and the following associated dockets: WC Docket No. 06-122, CC Docket No. 96-45, CC Docket No. 98-171, CC Docket No. 90-571, CC Docket No. 92-237, NSD File No. L-00-72, CC Docket No. 99-200, CC Docket No. 95-116, CC Docket No. 98-170 and WC Docket No. 04-36.

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If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

Amy Mushahwar

AMY MUSHAHWAR, ATTORNEY AT LAW
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Mushahwar, Amy S.

From: Mushahwar, Amy S
Sent: Wednesday, April 18, 2007 11:38 PM
To: bcliiie@fcc.gov
Subject: SunCom Wireless, Inc Petition for Reconsideration
Attachments: SunCom Petition.pdf; Application Error Message.pdf

Dear Sir or Madam

On behalf of SunCom Wireless Inc ("SunCom"), please find attached for submission its Petition for Reconsideration, in the Alternative. CInrification The Petition regards the Commission's Public Notice DA 07-1355 released on March 19, 2007 and the following associated dockets: WC Docket No 06-122, CC Docket No 96-45, CC Docket No. 98-171, CC Docket No 90-571, CC Docket No 92-237, NSD File No. L-00-72, CC Docket No 99-200, CC Docket No 95-1 IN, CC Docket No 98-170 and WC Docket No 04-36

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If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

Amy Mushahwar

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